GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Allegations of Corruption, Criminal Mis-conduct against Dr. G.Vijay Kumar, the then Director (In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada(now Retired) – Sanction for Prosecution under the Prevention of Corruption Act, 1988 – Accorded – Orders – Issued.

**GENERAL ADMINISTRATION (SC.D) DEPARTMENT**

**G.O. Ms. No.54** **Dated.06.06.2023**

**O R D E R:**

WHEREAS, Dr. G.Vijay Kumar, the then Director (In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada (now Retired) worked as Director (In-charge), IMS, AP, Vijayawada from 02.11.2017 to 08.05.2019 (i.e. the period worked at the place to which the allegation pertains) and retired from service on 30.04.2020 on attaining the age of superannuation. By virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2(c) of P.C. Act, 1988.

2. AND WHEREAS, on 25.09.2016, Dr. C.K. Ramesh Kumar, the then Director, IMS, AP (the predecessor of Dr. G.Vijay Kumar), and Sri T. Janaki Raman, Lay Secretary, Grade-II, IMS, AP attended the meeting with the then Minister for Labour, Employment, Training & Factories Department, Government of Andhra Pradesh, on the implementation of 2.0 Health Reforms Agenda of ESIC and the subsequent directive of ESIC vide letter No.V-14/11/5/2012/Med I (Policy) Dt.30.05.2016. ESIC 2.0 Health Reforms Agenda inter alia refers to a Medical helpline facility through which Insured Persons could directly talk to the doctors in case of any emergency and seek guidance. Though there was no mention of Toll-free services for medical reimbursement and referral bills claims in the ESIC 2.0 Health Reforms Agenda, it was decided in that meeting to introduce Toll-free services for reimbursement of medical claims and secondary care referral bill systems with maintenance and support of IMS Department and to entrust that work to M/s. Tele Health Services Pvt. Ltd., Hyderabad. It was also decided in that meeting to introduce ECG services and the Patient Case Management System and to entrust that works too to M/s. Tele Health Services Pvt. Ltd. Dr. C.K. Ramesh Kumar, the then Director, IMS, the then Minister, and Sri T. Janaki Raman, Lay Secretary, Grade-II, IMS signed on the minutes of the meeting. Thus it is clear that Dr. C.K. Ramesh Kumar, the then Director, IMS entered into a criminal conspiracy with the then Minister, and twisted the mandate of ESIC 2.0 Health Reforms Agenda with a premeditated intention in order to launch only those schemes/works in IMS, AP with M/s. Tele Health Services Pvt. Ltd. even before the letters given to the then Minister that M/s. Tele Health Services Pvt. Ltd claimed to have the capability and then award the contract of such schemes/works to M/s. Tele Health Services Pvt. Ltd. to ensure undue pecuniary advantage to that company and wrongful loss to IMS, AP.

3. AND WHEREAS, Dr. C.K. Ramesh Kumar, the then Director, IMS, Andhra Pradesh (the predecessor of Dr. G.Vijay Kumar) received 3 letters from the then Minister along with representations of M/s. Tele Health Service Pvt. Ltd., Hyderabad during the months of October and November, 2016, ordering/directing him to issue work orders to M/s. Tele Health Service Pvt. Ltd., Hyderabad for the services of a) Call Centre/Toll-Free services, b) ECG services and c) Patient Case Management System/software services in IMS, Andhra Pradesh. In the letter dated 22.11.2016, it was ordered to entrust the work to M/s. Tele Health Services (P) Ltd., Hyderabad for providing Toll-free services for an Automated system for reimbursement of medical claims & secondary care referral bills system with maintenance & support in the Department of IMS. In the letter dated 25.11.2016, it was ordered to enter MoU to entrust the work to M/s. Tele Health Services (P) Ltd., Hyderabad to set up ECG acquisition device and solution centers at ESI Hospitals and Dispensaries under PPP w.e.f. 01.12.2016. In the letter dated 13.10.2016, it was directed to enter MoU to entrust the work to M/s. Tele Health Services (P) Ltd., Hyderabad for implementing Patient Case Management System for all the ESI Hospitals, Diagnostic Centres and Dispensaries in the state.

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4. AND WHEREAS, Dr. C.K. Ramesh Kumar, the then Director, Insurance Medical Services, A.P., Vijayawada (the predecessor of Dr. G.Vijay Kumar) did not take prior approval and ratification from the Government, abused his official capacity and entered three MoUs with M/s. Tele Health Services Pvt. Ltd., Hyderabad on 02.12.2016 on PPP (Public Private Partnership) model for above said the services of a) Call Centre/Toll-Free services, b) ECG services and c) Patient Case Management System/software services in IMS, A.P., Sri K.Neeraj Reddy, Director, M/s. Tele Health Services Pvt. Ltd., Hyderabad signed the MoUs for Call Centre and ECG Services and Sri B.Pramod Reddy, Director, M/s. Tele Health Services Pvt. Ltd., Hyderabad signed the MoU for Patient Case Management System on behalf of M/s.Tele Health Services Pvt., Ltd, Hyderabad.

5. AND WHEREAS, Dr. C.K. Ramesh Kumar, the then Director, IMS (the predecessor of Dr. G.Vijay Kumar) without calling tenders and without following due procedure, only on receipt of three letters from the then Minister entered MoUs with M/s.Tele Health Services Pvt., Ltd, Hyderabad and issued work orders. Hence, Dr. C.K. Ramesh Kumar, the then Director, IMS in conspiracy with Sri the then Minister and prior nexus with Sri B.Pramod Reddy and Sri K.Neeraj Reddy, Directors, M/s. Tele Health Services Pvt. Ltd., Hyderabad, intentionally violated Rule 23(b) of A.P. Secretariat Business Rules by desisting from forwarding the representation of M/s. Tele Health Services Pvt. Ltd. to the Secretariat since the decision was going to be a policy decision having the financial burden on the Government exchequer.

6. AND WHEREAS, after entering MoU with Dr. C.K. Ramesh Kumar, the then Director, IMS, AP, M/s. Tele Health Services did not maintain any call center for Toll Free Service and did not give any service to the IPs of IMS, AP, and thereby violated the MoU dt.02.12.2016. However, M/s. Tele Health Services claimed monthly bills from IMS, AP from 01/2017 to 05/2018 by enclosing fake call logs for the months 01/2018, 03/2018, and 04/2018 and not enclosing any call logs for the remaining months. By claiming monthly bills for Toll Free Service by M/s. Tele Health Services from 01/2017 to 05/2018, the IMS, AP paid an amount of Rs.4,15,03,564/- to M/s. Tele Health Services. Hence, a wrongful loss of Rs.4,15,03,564/- occurred to the Government exchequer which in turn caused a loss wrongful gain to M/s. Tele Health Services Pvt. Ltd.

7. AND WHEREAS, Sri C.K. Ramesh Kumar, the then Director, IMS, AP (the predecessor of Dr. G.Vijay Kumar) in his tenure from 06.07.2016 to 02.11.2017 made payments to M/s. Tele Health Services for Toll Free Services for the months 01/2017 to 05/2017 and 07/2017 to 09/2017 (Total 8 months) and a total amount of Rs.1,64,75,043/- was paid, which is wrongful loss to the Government exchequer.

8. AND WHEREAS, after entering MoU with Dr. C.K. Ramesh Kumar, the then Director, IMS, AP (the predecessor of Dr. G.Vijay Kumar), M/s. Tele Health Services did not maintain ECG Service with cardiologist opinion properly at ESI Hospitals and Dispensaries and did not give proper service to the IPs of IMS, AP and thereby violated the MoU dt.02.12.2016. Though M/s. Tele Health Services did not give proper service to IPs of IMS, AP for ECG and Cardiologist service, it claimed monthly bills from IMS, AP for the months from 03/2017 to 05/2018. By claiming monthly bills by M/s. Tele Health Services from 03/2017 to 05/2018, the IMS, AP paid an amount of Rs.3,80,66,160/- to M/s. Tele Health Services. But, M/s. Tele Health Services did not provide Cardiologist service from 03/2017 to 05/2018(15 months) and received full payments. Hence, the additional payment for Cardiologist service for the period from 03/2017 to 05/2018(15 months) shall be the wrongful loss to the Government exchequer. For this period, the cost of the online cardiologist consultation fee is calculated at Rs.2,22,05,260/- which is the wrongful loss to the Government exchequer.

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9. AND WHEREAS, Dr. G.Vijay Kumar, the then In-charge Director, IMS, Andhra Pradesh, Vijayawada took up charge of In-charge Director, IMS, AP from Dr. C.K. Ramesh Kumar, the then Director, IMS, AP on 02.11.2017 and worked upto 08.05.2019. At the time of entering three MoUs with M/s. Tele Health Services Pvt. Ltd. by Dr. C.K. Ramesh Kumar, the then Director, IMS, AP on 02.12.2016 for the services of a) Call Centre/Toll-Free services, b) ECG services and c) Patient Case Management System/software services in IMS, AP, Dr. G.Vijay Kumar was working as Spl. Grade Civil Surgeon at ESI hospital, Rajahmundry and he was well aware of the above said Toll Free and ECG Services in all the dispensaries and hospitals of IMS, Andhra Pradesh.

10. AND WHEREAS, Dr. G.Vijay Kumar, the then Director(In-charge), IMS, AP, Vijayawada, after took up charge of Director(In-charge), IMS, AP, Vijayawada from Dr. C.K. Ramesh Kumar, the then Director, IMS, AP on 02.11.2017, continued payments to M/s. Tele Health Services Pvt. Ltd., Hyderabad for Toll-Free Services for 9 months (06/2017, 10/2017 to 05/2018) and paid a total amount of Rs.2,50,28,521/- though M/s. Tele Health Services Pvt. Ltd., Hyderabad did not maintain any call center for Toll-Free Services and did not give any service to the IPs of IMS, AP as per MoU dt.02.12.2016. Also Dr. G.Vijay Kumar, the then In-charge Director, IMS, AP, Vijayawada made payments to M/s. Tele Health Services Pvt. Ltd., Hyderabad for ECG Services and paid a total amount of Rs.3,80,66,160/- for 15 months (3/2017 to 5/2018) though M/s. Tele Health Services Pvt. Ltd., Hyderabad failed to provide cardiologist service through online, and provided ECG service only to the IPs of IMS, AP and thereby violated the MoU dt.02.12.2016.

11. AND WHEREAS, Dr. G.Vijay Kumar, the then Director (In-charge), IMS, AP who succeeded Dr. C.K. Ramesh Kumar, the then Director, IMS, AP, took the charge on 02.11.2017. It is his responsibility to verify the proper functioning of Toll Free Service and ECG Service before making payments. But instead, by abusing his official position and without any public interest he continued payments of bills of M/s. Tele Health Services Pvt. Ltd. for Toll Free Services and ECG Services from 08.11.2017 to 02.05.2019 to a tune of Rs.2,50,28,251/- for Toll Free Services and Rs.3,80,66,160/- for ECG Services wilfully without verifying the compliance of the terms of MoU and implementation of services at field level though he was working as Special Grade Civil Surgeon at ESI Hospital, Rajahmundry during the commencement of toll free service and ECG service and aware of above services, and due to which a wrongful loss of Rs.4,72,33,781/- (2,50,28,521+ 2,22,05,260) was caused to the Government Exchequer and wrongful gain to M/s. Tele Health Services Pvt. Ltd., Hyderabad represented by its directors Sri B.Pramod Reddy and Sri K.Neeraj Reddy.

12. AND WHEREAS, the above said acts of Dr. G.Vijay Kumar, the then Director (In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada (now Retired) constitute offences punishable under sections 13(1) (d)(ii)(iii) r/w 13(2) of P.C Act, 1988, and Sec.409 IPC.

13. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Dr. G.Vijay Kumar, the then Director(In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada (now Retired) from service after fully and carefully examining the material placed before the Government (i.e. Final Investigation Report of Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada) in respect of the aforesaid allegations having regard to the facts and the circumstances of the case consider that Dr. G.Vijay Kumar, the then Director (In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada (now Retired) should be prosecuted in a court of Law.

14. NOW THEREFORE, in exercise of the powers conferred under clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988 and U/s 197 of Cr.P.C. 1973, the Government of Andhra Pradesh hereby accord sanction for the prosecution of Dr. G.Vijay Kumar, the then Director(In-charge), Insurance Medical Services, Andhra Pradesh, Vijayawada (now Retired) for the offences punishable under sections 13(1) (d)(ii)(iii) r/w 13(2) of P.C Act,

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1988, and Sec.409 IPC and for any other cognate offence punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
The Director General
Anti-Corruption Bureau
Andhra Pradesh
VIJAYAWADA.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER (SC)